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List of documents submitted in U.S. patent application Ser. No. 10/628,077:

- | | |
|--|---------------------------|
| (1) IDS Transmittal dated September 3, 2004 | (6) Issue Fee Transmittal |
| (2) IDS | (7) Postcard |
| (3) Copies of Foreign Patent Documents & Non-Patent Documents cited in the IDS | |
| (4) Check in the amount of \$180 for IDS submission | |
| (5) Check in the amount of \$1630 as Issue and Publication fee | |

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Attorney Docket No. 3200.22D
Confirmation No. 3507



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Nichols *et al.*
Serial No. 10/628,077
Filed: July 25, 2003
For: METHODS FOR THE LATE INTRODUCTION OF ADDITIVES
INTO POLYETHYLENE TEREPHTHALATE

Group Art Unit: 1714
Examiner: S. Acquah

September 3, 2004

Commissioner for Patents
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(d)

Sir:

In accordance with 37 C.F.R. § 1.97(d) and MPEP § 609, Applicants are submitting the enclosed IDS concurrently with the payment of the issue fee. Applicants are including copies of the requisite information in accordance with Patent Office guidance; as Applicants filed the above-referenced application after June 30, 2003, Applicants are not providing copies of U.S. patents. Applicants request that the Examiner consider the information cited in this IDS and officially make it of record in accordance with the provisions of 37 C.F.R. § 1.97 and MPEP § 609.

In the above-referenced application, Applicants discussed commonly-assigned U.S. Patent No. 5,898,058 for a *Method Of Post-Polymerization Stabilization Of High Activity Catalysts In Continuous Polyethylene Terephthalate Production*. U.S. Patent No. 5,898,058, which Applicants cited in a previous IDS, discloses adding a stabilizer at or after the end of the polymerization reaction and before polymer processing. .

U.S. Patent No. 5,898,058 has a European patent counterpart, namely commonly-assigned European Patent EP 0900247. On June 23, 2004, Eastman Chemical filed an opposition against European Patent EP 0900247. Although U.S. Patent No. 5,898,058 and European Patent EP 0900247 are not counterparts to the above-referenced application, the present application recites as one object providing "a continuous process for the production of

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high quality polyethylene terephthalate polyester that improves upon the stabilizer-addition techniques disclosed by commonly-assigned U.S. Patent No. 5,898,058.” For completeness, therefore, Applicants are disclosing to the Patent Office Eastman Chemical’s opposition, as well as the references as provided in this opposition.

Applicants note that Eastman Chemical’s opposition cites seven references. Of these, International Publication No. WO 97/44376 (D1) is a counterpart to U.S. Patent Application No. 08/650,291, which issued as U.S. Patent No. 5,898,058. Accordingly, Applicants are not listing D1 in this IDS—D1 is cumulative in view of Applicants prior disclosure of U.S. Patent No. 5,898,058. Likewise, Applicants cited U.S. Patent No. 5,008,230 (D2) in a previous IDS and so are not listing D2 in this IDS .

As required by 37 C.F.R. § 1.97(d), no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

As further required by 37 C.F.R. § 1.97(d), Applicants are including the fee (\$180) set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0332.

Respectfully submitted,



Richard L. Additon
Registration No. 43,460

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/628,077
				Filing Date	July 25, 2003
				First Named Inventor	Carl S. Nichols
				Art Unit	1711
				Examiner Name	Samuel A. Acquah
Sheet	2	of	2	Attorney Docket Number	3200.22D

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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